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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

13 CHASOM BROWN, *et al.*, individually and
14 on behalf of all similarly situated,

Plaintiffs,

V.

17 GOOGLE LLC,
18 Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**[PROPOSED] ORDER GRANTING
MOTION TO SEAL**

Judge: Hon. Yvonne Gonzalez Rogers

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[PROPOSED] ORDER

2 Before the Court is Plaintiffs' Administrative Motion to Consider Whether Another Party's
3 Material Should be Sealed re: Parties' Motions in Limine (Dkt. 1033) ("Motion"). Having
4 considered the Motion, supporting declarations, and other papers on file, and compelling reasons
5 having been found, the Court **ORDERS** as follows:

| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
|------------------------|------------------------------------|---------------------|-----------------------|--------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Document or Portion of | Document Sought to be Sealed | Evidence Offered in | Support of Sealing | Ruling | | | | | | | | | | | | | | | | | | |
| | Declaration of M. Logan Wright | | Margolies Declaration | | | | | | | | | | | | | | | | | | | |
| | ISO Plaintiffs' Motion in Limine 1 | | ¶¶ 3–4 | | | | | | | | | | | | | | | | | | | |
| | to Preclude Google from Relying on | | | | | | | | | | | | | | | | | | | | | |
| | Non-Public Source Code at Trial | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | Appendix A: GOOG-BRWN- | | | | | | | | | | | | | | | | | | | | | |
| | 00858535 | | | | | | | | | | | | | | | | | | | | | |
| | Highlighted Portions at: | | | | | | | | | | | | | | | | | | | | | |
| | Seal Entirely | | | | | | | | | | | | | | | | | | | | | |
| | Declaration of M. Logan Wright | | Margolies Declaration | | | | | | | | | | | | | | | | | | | |
| | ISO Plaintiffs' Motion in Limine 1 | | ¶¶ 3–4 | | | | | | | | | | | | | | | | | | | |
| | to Preclude Google from Relying on | | | | | | | | | | | | | | | | | | | | | |
| | Non-Public Source Code at Trial | | | | | | | | | | | | | | | | | | | | | |
| | Exhibit 3: 2021-04-30 Brown v | | | | | | | | | | | | | | | | | | | | | |
| | Google Letter re Source Code | | | | | | | | | | | | | | | | | | | | | |
| | Highlighted Portions at: | | | | | | | | | | | | | | | | | | | | | |
| | Page 3 | | | | | | | | | | | | | | | | | | | | | |
| | Declaration of M. Logan Wright | | Margolies Declaration | | | | | | | | | | | | | | | | | | | |
| | ISO Plaintiffs' Motion in Limine 1 | | ¶¶ 3–4 | | | | | | | | | | | | | | | | | | | |
| | to Preclude Google from Relying on | | | | | | | | | | | | | | | | | | | | | |
| | Non-Public Source Code at Trial | | | | | | | | | | | | | | | | | | | | | |
| | Exhibit 4: 2021 05 25 Google's | | | | | | | | | | | | | | | | | | | | | |
| | Letter re Non-Public Source Code | | | | | | | | | | | | | | | | | | | | | |
| | Highlighted Portions at: | | | | | | | | | | | | | | | | | | | | | |
| | Page 4 | | | | | | | | | | | | | | | | | | | | | |
| | Declaration of M. Logan Wright | | Margolies Declaration | | | | | | | | | | | | | | | | | | | |
| | ISO Plaintiffs' Motion in Limine 1 | | ¶¶ 3–4 | | | | | | | | | | | | | | | | | | | |
| | to Preclude Google from Relying on | | | | | | | | | | | | | | | | | | | | | |
| | Non-Public Source Code at Trial | | | | | | | | | | | | | | | | | | | | | |

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| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 | <p>Exhibit 5: 2021 06 30 Plaintiffs' Letter re source code</p> <p>Highlighted Portions at:</p> <p>Page 2</p> <p>Declaration of M. Logan Wright ISO Plaintiffs' Motion in Limine 1 to Preclude google from Relying on Non-Public Source Code at Trial</p> <p>Exhibit 6: 2023-02-22 Brown - Email re Source Code</p> <p>Highlighted Portions at:</p> <p>Page 1</p> <p>Declaration of Ryan J. McGee ISO Plaintiffs' Motion in Limine Number 5 to Preclude Google from Introducing Disparaging Evidence or Argument</p> <p>Exhibit [B] GOOG-BRWN-00568364</p> <p>Highlighted Portions at:</p> <p>Seal Entirely</p> <p>Declaration of Ryan J. McGee ISO Plaintiffs' Motion in Limine Number 5 to Preclude Google from Introducing Disparaging Evidence or Argument</p> <p>Exhibit [D] GOOG-CABR-05266100</p> <p>Highlighted Portions at:</p> <p>Pages 2-3, 25-32, 36-41</p> <p>Plaintiffs' Opposition to Google's Motion in Limine Number 1 to Exclude Evidence and Argument re: Sanctions Proceedings and Discovery Misconduct</p> | <p>Margolies Declaration ¶¶ 3-4</p> |
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|---|--|---------------------------------|--|
| 1 | Highlighted Portions at: | | |
| 2 | Pages 1:22; 1:23; 2:3; 2:5; 2:11; 2:16-17; 2:20; 2:24; 3:3; 3:9-10; 3:18; 3:23 | | |
| 3 | Declaration of Alexander Frawley in Opposition to Google's Motion in Limine Number 1: re: Sanctions Exhibit 2 Highlighted Portions at: PDF Pages 7, 9 | Margolies Declaration ¶¶ 3-4 | |
| 4 | Plaintiffs' Opposition to Google's Motion in Limine Number 4 to Exclude Evidence and Argument re: Joining Data Highlighted Portions at: Pages 3:27-28; 4:8-9 | Margolies Declaration ¶¶ 3-4 | |
| 5 | Declaration of Alexander Frawley in Opposition to Google's Motion in Limine Number 4 re: Joining Data Exhibit 1 Highlighted Portions at: PDF Pages 3-4; 6-7 | Margolies Declaration ¶¶ 3-4 | |
| 6 | Declaration of Alexander Frawley in Opposition to Google's Motion in Limine Number 4 re: Joining Data Exhibit 2 Highlighted Portions at: Sealed Entirely | Margolies Declaration ¶¶ 3-4 | |
| 7 | Plaintiffs' Opposition to Google's Motion in Limine Number 3 Regarding 104 Documents that Google Claims are Irrelevant Highlighted Portions at: | Margolies Declaration ¶¶ 3-4 | |
| 8 | | | |

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|----|--|---------------------------------|--|
| 1 | Pages 1:16-17; 1:22; 2:5-6; 2:14-19; 3:12-13; 3:16-17; 321-23; 4:2-3; 5:21-22 | | |
| 3 | Google LLC's Motion in Limine No. 1 to Exclude Evidence and Argument Regarding Sanctions Orders, Sanctions Proceedings and Purported Discover Misconduct | Margolies Declaration ¶¶ 3-4 | |
| 6 | Highlighted Portions at: Page 4:26 | | |
| 8 | Google LLC's Motion in Limine No 2 to Exclude Evidence and Argument Regarding Class-wide Damages and Certain Other Damages Evidence | Margolies Declaration ¶¶ 3-4 | |
| 11 | Highlighted Portions at: Pages 1:21-22; 1:25; 1:27; 2:1-3; 2:25 | | |
| 14 | Google LLC's Motion in Limine No. 3 to Exclude Evidence and Argument Regarding Products, Services, Regulations, and Data Flows Outside of the Scope of Plaintiffs' Allegation | Margolies Declaration ¶¶ 3-4 | |
| 18 | Highlighted Portions at: Page 3:1-22 | | |
| 20 | Declaration of Carl Spilly ISO Google LLC's Motion in Limine No. 3 to Exclude Evidence and Argument Regarding Products, Services, Regulations, and Data Flows Outside of the Scope of Plaintiffs' Allegation | Margolies Declaration ¶¶ 3-4 | |
| 24 | Highlighted Portions at: PDF Pages 19-21 | | |
| 26 | Google LLC's Motion in Limine No. 4 to Exclude Evidence and Argument Regarding the Joining of Authenticated and Unauthenticated Data | Margolies Declaration ¶¶ 3-4 | |

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| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 | <p>Highlighted Portions at:</p> <p>Pages 1:26-27; 2:11</p> <p>Declaration of Tracy Gao ISO Google LLC's Motion in Limine No. 4 to Exclude Evidence and Argument Regarding the Joining of Authenticated and Unauthenticated Data</p> <p>Highlighted Portions at:</p> <p>PDF Pages 5-8; 10-29; 31-50</p> <p>Google LLC's Opposition to Plaintiffs' Motion in Limine 1 to Preclude Google from Relying on Non-public Source code at Trial</p> <p>Highlighted Portions at:</p> <p>Pages 1-2</p> <p>Declaration of Viola Trebicka ISO Defendant Google LLC's Opposition to Plaintiffs' Motion in Limine 5 re: Disparaging Evidence or Argument</p> <p>Highlighted Portions at:</p> <p>Pages 8-9, 25-40</p> | <p>Margolies Declaration ¶¶ 3-4</p> <p>Margolies Declaration ¶¶ 3-4</p> <p>Margolies Declaration ¶¶ 3-4</p> |
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SO ORDERED.

DATED: _____

HON. YVONNE GONZALEZ ROGERS
United States District Judge